

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
19476

In Re Application of: Akio Uchiyama et al.

NOV 05 2007

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/564,303	January 10, 2006	Unassigned	23389	3735	8935

Title: **IN-VIVO INFORMATION ACQUISITION AND IN-VIVO INFORMATION ACQUISITION APPARATUS SYSTEM**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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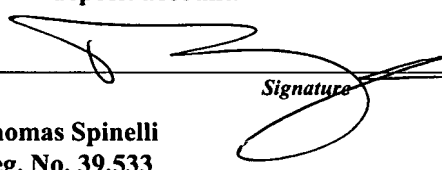
November 1, 2007

(Date)

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Thomas Spinelli
Typed or Printed Name of Person Mailing Certificate

Dated: November 1, 2007


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Akio Uchiyama, et al.

Examiner: Unassigned

Serial No: 10/564,303

Art Unit: 3735

Filed: January 10, 2006

Docket: 19476

For: IN-VIVO INFORMATION
ACQUISITION AND IN-VIVO
INFORMATION ACQUISITION
APPARATUS SYSTEM

Dated: November 1, 2007

Confirm. No.: 8935

Mail stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

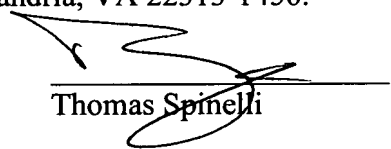
In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. United Kingdom Patent Application Publication No. GB 2 374 149 A, dated October 9, 2002;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: November 1, 2007


Thomas Spinelli

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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10/564,303	January 10, 2006	Unassigned	23389	3735	8935

Title: **IN-VIVO INFORMATION ACQUISITION AND IN-VIVO INFORMATION ACQUISITION APPARATUS SYSTEM**

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P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

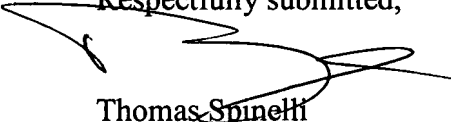
2. International PCT Publication No. WO 99/32028, dated July 1, 1999; and
3. U.S. Patent Application Publication No. 2004/0011366 A1, to Schulman et al., dated January 22, 2004.

The references were cited in a Search Report dated August 30, 2007 received from the European Patent Office. A date-of-receipt stamped letter (October 12, 2007) to establish the date on which the Search Report was received is also enclosed. Applicants are submitting copies of the above-cited references required by 37 C.F.R. 1.98 (a)(2)(i) and (ii), together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report. Please note the other reference cited in the Search Report, namely, U.S. Patent Publication No. 2003/213495 A1, to Fujita et al., dated November 20, 2003 was previously submitted in Applicants' Information Disclosure Statement dated January 10, 2006.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Akio Uchiyama, et al. **Examiner:** Unassigned
Serial No: 10/564,303 **Art Unit:** 3735
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For: IN-VIVO INFORMATION **Dated:** November 1, 2007
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Confirm. No.: 8935

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P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)


Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)


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Dated: November 1, 2007


Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,



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